

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
SECOND REGULAR SESSION  
18th Legislative Day  
Tuesday, March 4, 2014

Representative MacDONALD of Boothbay assumed the Chair.

The House met according to adjournment and was called to order by the Speaker Pro Tem.

Prayer by Pastor Ron McLaughlin, United Baptist Church, Topsham.

Colors presented by The Maine National Guard Joint Honor Guard.

National Anthem by Saco Middle School Band.

Pledge of Allegiance.

The Journal of Thursday, February 27, 2014 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 369)

**DEPARTMENT OF DEFENSE, VETERANS  
AND EMERGENCY MANAGEMENT  
33 STATE HOUSE STATION**

**CAMP KEYES, AUGUSTA, MAINE 04333-0033**

Office of the Commissioner and The Adjutant General

February 7, 2014

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

As the Commissioner of the Maine Department of Defense, Veterans and Emergency Management and The Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 126th Maine Legislature on Tuesday, March 4, 2014 at 11:00 a.m.

Sincerely,

S/Brigadier General James D. Campbell

Commissioner and The Adjutant General

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 368)

**STATE OF MAINE  
OFFICE OF THE STATE AUDITOR  
66 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0066  
LETTER OF TRANSMITTAL**

Honorable Justin L. Alfond

President of the Senate

Honorable Mark W. Eves

Speaker of the House

Honorable Paul R. LePage

Governor of the State of Maine

Honorable H. Sawin Millet, Jr.

Commissioner

Department of Administrative and Financial Services

We are pleased to submit our Report on Internal Control over Financial Reporting and on Compliance and Other Matters for the Year Ending June 30, 2013. In the course of our audit of the basic financial statements of the State of Maine, and our consideration of internal control, we identified a deficiency in internal control that we consider to be a significant deficiency according to Statement on Auditing Standard No. 115 (SAS 115)

issued in October 2008 by the American Institute of Certified Public Accountants Auditing Standards Board effective for financial statement audits for periods ending on or after December 15, 2009. SAS 115 applies whenever an auditor expresses an opinion on financial statements. It establishes standards on communicating matters related to internal control over financial reporting and requires written communication of control deficiencies identified in an audit of financial statements within sixty days. Our opinion on the basic financial statements of the State of Maine was issued on December 23, 2013.

Please feel free to contact me with any questions that you may have. Like you, we are committed to improving our State Government for the benefit of our citizens. I welcome your thoughts and inquiries on these matters.

Respectfully submitted,

S/Pola A. Buckley, CPA, CISA

State Auditor

February 21, 2014

**READ and with accompanying papers ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 778)

**MAINE SENATE  
126TH LEGISLATURE  
OFFICE OF THE SECRETARY**

February 27, 2014

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 126th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Judiciary, the nomination of Judge Valerie Stanfill of Wayne for reappointment as a District Court Judge.

Upon the recommendation of the Committee on Judiciary, the nomination of Justice Andrew M. Horton of Falmouth for reappointment as a Maine Superior Court Justice.

Upon the recommendation of the Committee on Judiciary, the nomination of Justice Nancy Mills of Cornville for reappointment as a Maine Superior Court Justice.

Upon the recommendation of the Committee on Judiciary, the nomination of Associate Justice Andrew M. Mead, Sr. of Bangor for reappointment as a Maine Supreme Judicial Court Justice.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING  
REFERENCE**

Bill "An Act Expanding Access to Early Postsecondary Education"

(H.P. 1289) (L.D. 1797)

Sponsored by Representative NELSON of Falmouth.  
(GOVERNOR'S BILL)

Cosponsored by Senator LANGLEY of Hancock and Representatives: DAUGHTRY of Brunswick, HUBBELL of Bar Harbor, JOHNSON of Greenville, KORNFIELD of Bangor, MAKER of Calais, McCLELLAN of Raymond, RANKIN of Hiram.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Amend the Laws Governing Charitable Solicitations"

(H.P. 1291) (L.D. 1799)

Sponsored by Representative FOWLE of Vassalboro.

Cosponsored by Senator KATZ of Kennebec and Representatives: HICKMAN of Winthrop, WILSON of Augusta.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent for concurrence.

At this point, a message came from the Senate borne by Senator JACKSON of Aroostook of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to Brigadier General James D. Campbell, Commissioner of the Department of Defense, Veterans and Emergency Management and The Adjutant General of the Maine National Guard, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:45 in the morning and the Speaker Pro Tem appointed Representative BERRY of Bowdoinham to convey this message to the Senate.

#### Pursuant to Statute

#### Administrator of the Unorganized Territory

Representative GOODE for the **Administrator of the Unorganized Territory** pursuant to the Maine Revised Statutes, Title 36, section 1604 asks leave to report that the accompanying Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2014-15" (EMERGENCY)

(H.P. 1294) (L.D. 1803)

Be **REFERRED** to the Committee on **TAXATION** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

#### ORDERS

On motion of Representative JORGENSEN of Portland, the following Joint Resolution: (H.P. 1288) (Cosponsored by President ALFOND of Cumberland and Representatives: BEAR

of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAVERS of South Berwick, BERRY of Bowdoinham, BLACK of Wilton, BOLAND of Sanford, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CASSIDY of Lubec, CHASE of Wells, CHENETTE of Saco, CHIPMAN of Portland, CLARK of Easton, COOPER of Yarmouth, CRAFTS of Lisbon, DAUGHTRY of Brunswick, DEVIN of Newcastle, DILL of Old Town, DION of Portland, DORNEY of Norridgewock, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FITZPATRICK of Houlton, FOWLE of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GILBERT of Jay, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HICKMAN of Winthrop, HOBBS of Saco, HUBBELL of Bar Harbor, KESCHL of Belgrade, KNIGHT of Livermore Falls, KORNFIELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LAJOIE of Lewiston, LONGSTAFF of Waterville, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MARKS of Pittston, MASON of Topsham, MASTRACCIO of Sanford, McGOWAN of York, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, NADEAU of Winslow, NELSON of Falmouth, NOON of Sanford, PEOPLES of Westbrook, PETERSON of Rumford, PLANTE of Berwick, PRINGLE of Windham, RANKIN of Hiram, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SANBORN of Gorham, SANDERSON of Chelsea, SAUCIER of Presque Isle, SCHNECK of Bangor, SHORT of Pittsfield, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STUCKEY of Portland, THERIAULT of Madawaska, TIPPING-SPITZ of Orono, TREAT of Hallowell, TURNER of Burlington, VEROW of Brewer, WEAVER of York, WELSH of Rockport, WERTS of Auburn, WILLETTE of Mapleton, Senators: BOYLE of Cumberland, BURNS of Washington, CAIN of Penobscot, CLEVELAND of Androscoggin, COLLINS of York, CRAVEN of Androscoggin, DUTREMBLE of York, FLOOD of Kennebec, GERZOFISKY of Cumberland, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LACHOWICZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, MAZUREK of Knox, MILLETT of Cumberland, PATRICK of Oxford, PLUMMER of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, TUTTLE of York, VALENTINO of York, VITELLI of Sagadahoc, WHITTEMORE of Somerset, WOODBURY of Cumberland, YOUNGBLOOD of Penobscot)

#### JOINT RESOLUTION RECOGNIZING THE CENTENNIAL OF MAINE NURSING

WHEREAS, Maine nurses provide professional and high-quality health care for people in all parts of the State when and where it is needed, including in urban, rural, island and wilderness settings; and

WHEREAS, Maine nurses provide their services in hospitals, in hospice, public health and emergency settings, in homes, in educational, governmental, industrial and private facilities, in long-term care, mental health, surgical care and obstetrical services settings, in physicians' practices and in community health centers; and

WHEREAS, quality health care provided by Maine nurses has long been supported by the American Nurses Association of Maine, or ANA-Maine, which before 2001 was known as the Maine State Nurses Association; and

WHEREAS, ANA-Maine has been a constituent of the American Nurses Association since 1914, and nursing practice in

Maine has been registered by the State Board of Nursing since 1915; and

WHEREAS, it is the mission of the State Board of Nursing to protect the public health and welfare in the area of nursing practice, and it is the mission of ANA-Maine to work for the improvement of health standards and the availability of health care services for all Maine people; and

WHEREAS, it is also the mission of ANA-Maine to foster high standards for nursing and to promote the professional development of nurses; and

WHEREAS, ANA-Maine advocates for nurses and promotes the recruitment and retention of nurses in Maine; and

WHEREAS, nursing education has grown and expanded to meet the needs of a changing health care system to include certified registered nurse anesthetists, certified nurse midwives, nurse practitioners and clinical nurse specialists; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the 100th Anniversary of nursing practice and education in the State of Maine; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to ANA-Maine.

**READ.**

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Under suspension of the rules, members were allowed to remove their jackets.

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The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Jorgensen.

Representative **JORGENSEN**: Thank you, Mr. Speaker. Mr. Speaker, Colleagues of the House. Two hundred and twenty-five years or so ago, a woman named Martha Ballard lived in Hallowell, and traveled through the entire region, working primarily as a midwife, but generally tending to all sorts of medical and health needs in Augusta, Hallowell and the surrounding towns on both sides of the Kennebec River, the Dresden, Pittston, Gardiner area.

Martha's meticulous diary documents 27 years of providing health care around here, not always easily. Her accounts include battling river ice in her canoe, and hard slogs through snow on poor roads. The diary, now in the Maine State Museum, has achieved considerable scholarly attention. It was a subject of a best-selling Pulitzer prizewinning historical account, *A Midwife's Tale*, as well as a remarkable website and a motion picture. Martha led an ordinary frontier existence, made fascinating from our perspective by the window her writings provide into life, into early health care, and into the notions of community in the District of Maine.

But what Martha Ballard's story really tells us is that ever since there have been people living in this place, there has been a need for people trained to provide frontline medical care. And though Martha saw herself primarily as a midwife, she was clearly also what we'd call a nurse, providing a range of health care services to this region.

I am delighted that so many of the people in this room and the other body down the hall, I think almost all of us took the opportunity to sign on to this Joint Resolution honoring the centennial of the American Association of Nurses in Maine, marking 100 years of professional nursing in our state. Thousands of people have followed in the footsteps of Martha

Ballard, quietly and selflessly working in hospitals, homes, and other institutions, caring for people, making their lives and their health better. It's no coincidence that nursing comes up again and again as the most trusted profession in our society.

A nurse's diary today would be rather different than Martha Ballard's. The profession has advanced in so many directions with new knowledge, new specialization, technology, and training. It's hard to recognize it is the same work. But what we have continued to see is that caring, skill and hard work remain the cornerstones of the profession. Mr. Speaker, I'd like to wish the American Association of Nurses a happy anniversary and best of luck for the next century. Thank you very much.

The SPEAKER PRO TEM: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. First, I want to say thank you. Thank you for recognizing nurses. I am honored to serve in this chamber as I have had predecessors who have served in this chamber and in the Senate chamber. It is a true privilege. So why am I here? Because I am serving in a different way. When my dad who was a physician said, "How can you leave care of patients," I said, "This is the way I will serve." Nurses have gone from handmaidens to the most trusted professionals in the country and I may say the world. They provide care to people in every walk of life, regardless as to whether they can pay or not. And they do it every day because they care, not because they're making much money, not because anybody really noticed. I remember my dad saying that if you didn't have good nurses, nurses who are committed and dedicated, the hospitals would crumble. They are, I believe, humbly, the backbone of health care. So with that, again, I want to thank all my colleagues and friends within this chamber and the chamber down the hall for recognizing nursing. We will continue to work as hard as we have throughout the ages, and as we move forward, I hope you will support what we do and why we do it. I thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**.

Sent for concurrence.

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Subsequently, Representative **BERRY** of Bowdoinham reported that he had delivered the message with which he was charged.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

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The Speaker resumed the Chair.

The House was called to order by the Speaker.

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## **REPORTS OF COMMITTEE**

### **Refer to the Committee on Labor, Commerce, Research and Economic Development Pursuant to Resolve**

Representative **HERBIG** for the **Joint Standing Committee on Labor, Commerce, Research and Economic Development** on Bill "An Act To Implement the Recommendations of the Task Force Convened by the Maine Labor Relations Board Regarding Compensation for the Panel of Mediators"

(H.P. 1290) (L.D. 1798)

Reporting that it be **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC**

**DEVELOPMENT** pursuant to Resolve 2013, chapter 26, section 2.

Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent for concurrence.

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**Refer to the Committee on State and Local Government  
Pursuant to Public Law**

Representative GRAHAM for the **Joint Standing Committee on State and Local Government** on Bill "An Act To Update Statutory Dates for the State Government Evaluation Act Review of Agencies"

(H.P. 1292) (L.D. 1800)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** pursuant to Public Law 2013, chapter 307, section 9.

Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent for concurrence.

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**Refer to the Committee on State and Local Government  
Pursuant to Statute**

Representative GRAHAM for the **Joint Standing Committee on State and Local Government** on Bill "An Act To Eliminate Inactive Boards and Commissions"

(H.P. 1293) (L.D. 1801)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2.

Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent for concurrence.

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**Change of Committee**

Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Expand and Improve Employment Opportunities in the State"

(S.P. 652) (L.D. 1658)

Reporting that it be **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE**.

Came from the Senate with the Report **READ** and **REJECTED** and the Bill **COMMITTED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

Report was **READ** and **REJECTED** and the Bill was **COMMITTED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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**Divided Report**

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Establish the Renewable Energy Feed-in Tariff"

(S.P. 367) (L.D. 1085)

Signed:

Senators:

CLEVELAND of Androscoggin

JACKSON of Aroostook

YOUNGBLOOD of Penobscot

Representatives:

HOBBINS of Saco

BEAVERS of South Berwick

DUNPHY of Embden

GIDEON of Freeport

HARVELL of Farmington

LIBBY of Waterboro

NEWENDYKE of Litchfield

TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-396)** on same Bill.

Signed:

Representatives:

RUSSELL of Portland

RYKERSON of Kittery

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

**READ.**

Representative HOBBINS of Saco moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

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At this point, the Senate came and a Joint Convention was formed.

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**In Convention**

The President of the Senate, the Honorable Justin L. Alfond in the Chair.

The Convention was called to order by the Chair.

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On motion by Senator JACKSON from Aroostook, it was **ORDERED**, that a Committee be appointed to wait upon Brigadier General James D. Campbell, Adjutant General of the Maine National Guard, to inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communications as please him.

The Order was **READ** and **PASSED**.

The Chair appointed the following:

The Senator from York, Senator Tuttle

The Senator from Oxford, Senator Patrick

The Senator from Androscoggin, Senator Mason

The Representative from Ellsworth, Representative Luchini

The Representative from Portland, Representative Russell

The Representative from Waterville, Representative Longstaff

The Representative from Vassalboro, Representative Fowle

The Representative from Presque Isle, Representative Saucier

The Representative from Bangor, Representative Schneck

The Representative from Auburn, Representative Beaulieu

The Representative from Eddington, Representative Johnson

The Representative from Lincoln, Representative Gifford

The Representative from Limington, Representative Kinney

The Representative from the Penobscot Nation, Representative Mitchell

Subsequently, Senator TUTTLE from York, for the Committee, reported that the Adjutant General of the Maine National Guard would attend forthwith.

The Chair welcomed to the Convention Brigadier General James D. Campbell, Adjutant General of the Maine National Guard.

The Chair recognized in the House Gallery the members of the Army and Air National Guard as well as the Department of Defense, Veterans and Emergency Management.

The Chair requested the Adjutant General of the Maine National Guard, Brigadier General James D. Campbell, to please step forward and address the Joint Convention.

Adjutant General **CAMPBELL**: President Alfond, Speaker Eves, members of the 126th Legislature, distinguished guests, and fellow officers, Soldiers and Airmen of the Maine National Guard: Thank you once again for the opportunity to come and address you today to update you on the status of your National Guard, Emergency Management Agency, Bureau of Veterans' Services, and the Maine Military Authority. Since I last came before you we have had some tremendous successes in the Department, and we have begun to see some significant changes as well. Along with those successes and changes, we have also experienced some challenges; some of these challenges are not new, and some are emerging. I can start today by assuring you that your Soldiers, your Airmen and the civilians of the Department are ready, highly trained, well-led and able to support the citizens of Maine and the nation to the high standards and in the dedicated and professional manner which we have all come to expect as ordinary, from these extra-ordinary people.

Before I begin the formal part of this address, I'd like to recognize and acknowledge some important people who are with us in the chamber today. Very special thanks as always to the outstanding professionals of our Maine State Select Honor Guard who posted the colors here today. Our Honor Guard has since 2004 performed over 10,000 military funerals for veterans in our state – the highest by percentage of population of any state Honor Guard in the country. I'm also pleased to welcome today, if he's there, I don't see him, my predecessor as Adjutant General, Major General (retired) Bill Libby and his wife Cindy. I thank them very much for their continued support and for General Libby's leadership over the years. I'm also very fortunate to have with me my mother, Mrs. Anne Campbell, and my brother Mr. Thomas Campbell, who are here from away. Thanks for making the drive to come on up. And finally, I want to recognize and thank my wife, Mrs. Judy Campbell of Greenville – she remains my most important support and, as my true commanding officer, she is constantly working to keep me on the right path. Her service, quite literally around the world as the wife of a professional Soldier since 1987, is in no small measure the critical element to any success that I may have had, and I owe her everything.

In July of last year, I went with about 120 Soldiers and Airmen from the Maine National Guard to Pennsylvania, in order to commemorate the 150th anniversary of the Battle of Gettysburg. As most of you know, units from the Maine State Volunteer Militia, our National Guard, played critical and historic roles at that battle, one of the most central in the military history of the United States. While in Gettysburg, we toured the battlefield, and ceremonially laid white pine wreaths on all the monuments of all

18 regiments from Maine that fought there. We finished the day at Little Round Top, where we held a solemn ceremony in partnership with our comrades from the Alabama National Guard, whose forebears fought our Maine Soldiers for control of that hill in 1863. Joined by our Governor, Governor LePage, we remembered the sacrifices of that day, and recognized our current Soldiers and Airmen who continue to serve our state and nation in ways which I'm sure would make the Maine men of 1863 justly proud. At that ceremony were the current commanders and regimental colors of the 1st Battalion 167th Infantry from Alabama – which is the successor unit of the 4th Alabama – and the 133rd Engineer Battalion from Maine – the successors of the 20th Maine. These are the two regiments who fought there 150 years ago. On that day in 1863, the Alabama men marched 23 miles in the summer heat before charging up Little Round Top under fire five times, and the 20th Maine famously held off those desperate assaults with rifles, bayonets, and even rocks and fists. While we were there, we joked with our Southern friends that it only took them 150 years to get to the top of the hill. We also told them that if they didn't behave, we'd send them back down the hill just like we did 150 years ago. It was a great event. It is important to note that the unit from Alabama that was there had just returned from Afghanistan and our Maine Soldiers from the 133rd left three weeks after that for Afghanistan where they are today.

It is events such as this trip to Gettysburg that make me so proud, and so humbled to be a part of such a superb and historic organization as the Maine National Guard, and the Department of Defense, Veterans and Emergency Management. It is not only the past valor and sacrifice of our predecessors, but it is the service and the dedication of our current Soldiers, Airmen and civilian employees which gives me such hope for the future. These men and women truly are the next Greatest Generation. I want to applaud them again.

When I addressed you last year I had been The Adjutant General of Maine for roughly seven months, and so I felt it would be useful during the address to spend much of the time allotted me to describe the structure, duties and missions of the various agencies and bureaus which make up the Department. I won't do that today. Instead, I will cover for you some of the accomplishments of the Department since last year, and give you an overview of the scope of the activities in which we have been engaged. I'd like to begin, however, with a discussion of what I see as some critical issues which will dramatically affect the Department, and specifically the Army National Guard, in the near future. If these issues are not resolved successfully, the Maine National Guard and indeed the National Guard across the nation will be effected in such a way as to reduce it to the lowest relative level of strength and combat capability the organization has had in over a century, if not in our history. This dangerous situation will have terrible ramifications not only for our national security, but will significantly reduce our historic state militia's ability to execute their Constitutional role of support to our civil authorities, protecting lives and property during times of emergency.

That statement may sound like hyperbole – I completely understand if as sensible Mainers when you hear statements like those I just made, you are naturally inclined to think that once again, a uniformed military officer is attempting to sow fear and consternation in hopes of defending an inflated budget. In this case, however, I hope that you will bear with me and see that my statements describe a very real, very serious set of circumstances. And far from attempting to defend a bloated defense budget, my concerns about the future of the National Guard are inseparable from a motivation to see the national

defense budget reduced, while maintaining a strong military and reinforcing the role of Congress and our state governments in determining how our nation's military establishment is to be maintained, and for what purposes it will be used.

Last year I warned that there was a possibility that the senior leaders of the Army would use this current fiscal environment to attempt a dramatic reduction in the size and combat capabilities of the National Guard. This has, unfortunately, come to pass. During this past summer and fall, I was privileged to be one of ten Adjutants General from around the country who participated in closed-door sessions about this very topic with the Army's senior uniformed leadership and civilian officials. These discussions were an unsuccessful attempt by the Active Army to convince the leadership of the National Guard to accept what we saw as unnecessary and even dangerous reductions to our organizations, along with changes to our structure which would place in jeopardy the role of the National Guard as the primary Combat Reserve of the Army. Recognizing that the Army, along with the rest of the country's military, needs to be smaller in order to reduce defense spending after this long period of war, the Adjutants General, in cooperation with The Chief of the National Guard Bureau, have made several proposals since last fall to the Army and other senior defense department officials which would cut our budgets in the way mandated by the Federal Budget Control Act, while retaining capability in the National Guard and for the Army. Despite the fact that the Chief of the National Guard Bureau is a full member of the Joint Chiefs of Staff, and that these proposals met the budgetary requirements of the Army, they were summarily rebuffed. This rejection, coupled with a failure to produce any transparent analysis supporting the Active Army's positions, has made it clear to us, therefore, that there is a significant possibility that the Army's plans go well beyond budgetary considerations and seek a fundamental reduction to and change in the traditional combat role of the National Guard.

For example, one of the demands of the Army leadership has been that they require that all attack helicopters in the Army must be moved to the Regular, active force. At first, they made this demand saying that it was driven by a pressing need to cut costs. When presented with facts which demonstrate what is only logical – that placing all of the Apache helicopters, the most expensive Army aircraft to maintain, train and remain ready, in the most expensive part of the Army, cannot possibly save costs – the Department of the Army has stopped discussing costs and has resorted to shop-worn and frankly untrue statements about the National Guard not being accessible, not being combat ready, and not performing at the same levels as the Regulars. If our country has learned anything in the years since 2001, it is that statements like these are myths, and that our National Guard is just as capable as our partners in the Active force. With regard to the question of whether or not the Guard is accessible, as I asked last year when I made this address, "When, since 1636, has the National Guard not been there for the nation when called?" As concerns the combat performance of the National Guard, I would ask this question today: How many National Guardsmen must be killed or wounded in combat, how many Guard units must serve with honor, courage and distinction, garnering awards and decorations, before we stop viewing them as any different from any other Soldiers, Airmen, or military units?

Additionally, we have heard questions asked by defense officials like, "Why does a governor need tanks and Apache helicopters?" Again – these unhelpful statements mask the real question, which goes to the purpose of our Founders insisting that the preponderance of our national military structure be based in the state-controlled, citizen militia. The real question is: Does

the United States Army need tanks and Apache attack helicopters, and given that need, how can we then maintain the best possible, most capable military at the least cost to the nation? The answer to that question, of course, is by relying, as we have done for the past 237 years, on the National Guard. National Guard units cost roughly one-third to maintain as Regular units, and they are only called to active service when needed – the money the nation thus saves on defense can be used to invest in other national priorities. This fact is why we have throughout our history insisted on small standing professional Regular forces and it relied on our Citizen-Soldiers during crises. Additionally, the competence, leadership and experience residing in National Guard units, which have been so amply demonstrated in combat abroad and during emergencies at home, is available to the Governor to assist civil authorities in the states. And by keeping the majority of our combat units in the National Guard, the nation retains that visceral tie between the military and its parent society, ensuring that we only go to war when it is absolutely necessary and that when we do, our whole country is engaged. This has been the paradigm of our national military organization since the 18th century, and there is absolutely no logical or valid reason to change it now.

Last Monday the Secretary of Defense presented a preview of what the proposed Defense budget would be for fiscal 2015. The complete budget will be presented to Congress this week. This budget will seek to reduce the Army National Guard from its current size of 350,000 Soldiers, which it has maintained with minimal changes since the mid-1990s, down to 335,000 Soldiers. Moreover, if the Congress does not alter or eliminate the sequestration required under the Budget Control Act, under this plan the Army National Guard will be further reduced to 315,000 Soldiers. What does this drastic and unprecedented reduction of our country's citizen militia mean for the State of Maine? If these plans are allowed to pass, our current Maine Army National Guard of 2,122 Soldiers, already reduced by over 500 Soldiers since 2007, will potentially be reduced by another 200 Soldiers. With a force of less than 2,000, the Maine Army National Guard will be the smallest it has been since Maine gained its statehood in 1820. We will lose jobs, we will lose helicopters and other important equipment, and we will have to close armories in our communities. And most importantly, the Maine Army National Guard will not have the ability it currently has to support our citizens in time of emergency. It is worth noting here that in 1936, following the economic devastation of the Great Depression, a fiscal crisis far worse than the one that we face today, and when the population of Maine was far smaller than it is today, our Maine Army National Guard consisted of over 4,000 Soldiers.

Two weeks ago, the Adjutants General from across the country sent a combined letter to the Secretary of Defense expressing deep concern and disagreement with these plans. That letter has yet to be acknowledged. Last week Governor LePage, along with 49 other governors, sent a letter to the President of the United States expressing similar concerns. As all of you know, it is rare indeed that all 50 Governors, of all political backgrounds, can agree on any single issue, let alone a matter of national fiscal and security import such as this – it is a clear indication of the deeply problematic nature of the Defense Department's budget proposals that the governors have been so united in their opposition.

There is currently a bill before the US House of Representatives which seeks to halt any planned changes to the National Guard's size and make up, and establish a commission on the future structure of the Army. Both of our state's Congressional Representatives have signed onto this bill as co-

sponsors. The commission called for in this bill would be independent, would be made up of experts from all components of the Army along with civilian agencies, and would conduct an impartial review of the roles and missions, and the balance between the Active Army, the Army National Guard and the Army Reserve. The commission would then make recommendations to Congress as to how we can construct the best, most capable total Army at the least cost to the nation. I am confident that such a commission will validate the role and strengths of the National Guard. It is hard to overestimate, however, how critical it is that in the next few weeks and months as the debate surrounding this budget unfolds, all of our citizens and all of our leaders are aware of these serious matters, and how they might affect our state and its historic military forces.

Turning to the subject of the current status of Department of Defense, Veterans and Emergency Management, I must again say that in spite of pressures, both operational and fiscal, the Department is in excellent condition and continues to enjoy notable successes due to the exceptional people who make up our units, bureaus and agencies. The Bureau of Veterans' Services, led by the untiring and venerable Mr. Peter Ogden, has continued to perform its mission of ensuring that our many veterans and their families are recognized, that they have access to their well-deserved benefits, and that our state's four Veterans' Cemeteries continue to set national standards for beauty, dignity and efficient operation. This year the 36 dedicated employees of the Bureau assisted veterans and family members from across the state in filing VA medical enrollment applications and claims worth over \$49 million dollars in recoveries. With the receipt this past year of over \$1.7 million dollars in VA grants for maintenance, upgrades and expansion, our cemeteries will allow us to bury Maine's veterans and their spouses well into this century, and will ensure that we can provide a place suitable for honoring their service and sacrifice. A special thanks here to Mr. David Richmond who is the state's manager of our cemeteries – Dave has one of the most visible and important positions in the Department and is the epitome of a caring, dedicated and effective public servant. Dave, would you please stand?

Some of the initiatives the Bureau is engaged in will help us to expand our assistance to some of our underserved populations – we remain concerned about our ability to reach our younger veterans of these most recent wars, as well as women veterans and some of our most elderly. We are in the process of hiring a service officer, today, who will be charged specifically with outreach to women veterans, and we are planning a reorganization of our offices around the state to allow for better services where the bulk of our veteran population resides. This reorganization will also allow for service officers to travel in order to reach veterans in more rural areas and those who are in nursing homes. As we hire our newest generation of service officers, we anticipate that their shared experiences will help us to better engage with veterans from the Persian Gulf, Iraq and Afghanistan.

We continue to manage a large program to recognize Maine's veterans and their families. Mr. Ogden spends countless hours working with veterans and our Congressional delegation to ensure that they have the awards and decorations they have rightly earned – among other projects this year and the 50th anniversary of the start of the Vietnam War, Mr. Ogden submitted a comprehensive dossier for one of our veterans of Vietnam to upgrade a previous decoration for valor to the Congressional Medal of Honor. Pete travels almost weekly to ceremonies around the state, sometimes assisted by others from the Department but mostly on his own, in order to present the state's gold, silver and bronze star medals and certificates to veterans –

we just recently held one of these ceremonies at the Maine State Museum to honor many of you, our veterans who currently serve in the Legislature and the administration. As always in this endeavor, the Governor and especially the First Lady have been extraordinary in their support and leadership, helping our entire Department as we work with veterans, as well as our currently serving military personnel and their families.

The Maine Military Authority, which operates our equipment rebuild facility in Limestone, is led by the very capable Mr. Tim Corbett of Belgrade. The Military Authority has had a very difficult year, as many of you know, but we have some reason for encouragement as well. With severe reductions in Defense Department funding in this past year, the Authority has had their operations drastically curtailed, along with their budget. Last year we received over \$42 million dollars in Federal funding for our equipment rebuild facility in Limestone, and this year that budget was reduced to only \$7.4 million dollars. This precipitous cut has required us, unfortunately, to reduce our workforce this year by 155 people, down to only 57 employees. Clearly, the situation has caused great difficulty for our valued workers who have earned a global reputation for excellence. However, with the cooperation and assistance of DOT Commissioner David Berhardt and his staff, along with some great municipal partners in Al Shultz and Rod Carpenter from Biddeford-Saco, we have begun a transit bus rebuild program in Limestone which shows great promise. We now have the only large-scale mass transit overhaul and refurbishment facility in the Northeast, where fully one-half of the nation's public mass transit buses operate. We currently have an initial bid in with the Massachusetts Bay Transit Authority to rebuild busses for the city of Boston, and that potential program along with several other Federal transportation grant applications gives us hope that we can begin to recover from the loss of our traditional military projects. With your assistance in encouraging our school districts and our municipalities to consider refurbishing their busses in Limestone, we have every reason to believe that the Maine Military Authority will recover its position as a key economic engine for Northern Maine.

One of the other pillars of the Department, the Maine Emergency Management Agency, has just completed one of their busiest years on record. They have continued to demonstrate the kind of innovation, professional expertise and cooperative spirit which have made them regional and national leaders in emergency management and homeland security. Through this year MEMA's dedicated staff of 28 emergency managers have received and disbursed to our cities, towns and counties over \$8 million dollars in federal grants, for activities such as dam safety, hazardous materials planning and training, emergency planning and exercises, and border security. They began the year working with the federal government to secure over \$3 million dollars in cost reimbursement and recovery funding for the federally declared winter storm disaster early last year. MEMA's staff was also an integral part in assisting the city of Lewiston last spring in dealing with the aftermath of the spree of arsons there which left hundreds homeless. Concurrent with their high level of activity, continued reductions in both state and federal funding for MEMA have created strains on their ability to sustain important programs, and we are working diligently to sort through tough decisions and what we can continue to accomplish given these pressures.

This year of storm and disaster response culminated with the ice storm which hit the state just before Christmas, and which left thousands without power and heat at a time when the temperatures were some of the coldest we've experienced in recent years. MEMA staff worked long hours, over two

weekends and through the Christmas holiday, to coordinate weather updates, transportation and utility restoration, emergency sheltering, and public information across the state. Recovery efforts continue to this day, and MEMA is working closely with federal, county and local partners in this effort as Governor LePage has applied to the Federal Emergency Management Agency for disaster recovery funding. Ms. Lynnette Miller, MEMA's Communications and Special Projects Director, has particularly distinguished herself in this effort. Over her long service at MEMA, among her other accomplishments, Ms. Miller has built a robust social media presence for the agency which was extremely valuable during the ice storm. This public messaging was a key component of MEMA's response. Many thanks to Ms. Miller for her dedication to the people of Maine.

MEMA's comprehensive training and exercise program has been especially noteworthy this year. Among many notably exercises this year, MEMA was the state's lead agency for the national-level civilian-military exercise called Vigilant Guard. In November, working hand in hand with the Maine National Guard, US Northern Command, the National Guard Bureau and states from New England, across the northeast, Virginia, Maryland and others, MEMA coordinated the largest single domestic response exercise in the state's history, with over 3,000 participants. Leading up to the event, a separate weeklong exercise in September focused on interoperable communications, and we held many other smaller, preparatory exercises across the state. Vigilant Guard included federal, state, military and civilian agencies at all levels, as well as international participation from the Provinces of Quebec and New Brunswick. The exercise was a success, and provided many lessons learned and steps for improvement that we are carrying out today.

Finally, as many of you know, MEMA has recently undergone a significant change in leadership. This fall we said goodbye to Mr. Rob McAleer, the long-serving and outstanding director who led MEMA for the past 7 years. Rob's contributions to the state and nation as the consummate emergency management professional are well known, and his mature and steady hand during crises has been a critical asset to our state. Rob is now in well-earned retirement, and we are all extremely fortunate to have as his replacement Mr. Bruce Fitzgerald of South China. Bruce has been with MEMA for 10 years, and is already living up to the standard set by his predecessor. Welcome to Bruce, and thank you to the legislature for confirming him so rapidly. Bruce, where are you?

Two thousand thirteen was in many ways a year of change for the Maine National Guard. As we have reduced our military commitments in Afghanistan, along with reduced budgets our National Guard has seen a slight deceleration of our operational tempo and overseas deployments. We have worked hard to continue recruiting quality young people to serve in our formations, and although successful in keeping units filled up to this point, the loss of the tuition assistance program funded through the Maine Military Authority has made that difficult work even more challenging. We have also experienced some changes in leadership, as many of our senior leaders have retired, and we have moved up younger officers into positions of responsibility and authority. With those changes, however, one constant has remained – your National Guard is still recognized around the world for its excellence and for the caliber of its Soldiers and Airmen.

The Maine Air National Guard, led by the team of Brigadier General Gerard Bolduc of Bangor, and Command Chief Master Sergeant Robert Peer, also from Bangor, continues to be one of the most outstanding organizations in the US Air Force. The 1,127 Airmen of the "Maineiacs" serve in three units; the 101st

Air Refueling Wing in Bangor, and two communications and electronics units in South Portland – the 243rd Engineering Installation Squadron and the 265th Combat Communications Squadron. Your Air Guard has deployed and returned home 109 Airmen this year and today has 42 Airmen serving overseas, including the 101st Air Refueling Wing Commander, Colonel Douglas Farnham of Bangor. We are very proud of Colonel Farnham, who was specially chosen to serve a tour as the Deputy Commander for all Air Force refueling and airlift operations in the Middle East and Central Asia. Doug will be back in April and we're looking forward to his return.

This year the 101st Air Refueling Wing has continued to support Operation Noble Eagle, which is the air defense of the continental United States, with multiple lines of aerial refueling alert and sorties. In addition to Operation Noble Eagle, the 101st continues to run the North East Tanker Taskforce Air Bridge Scheduling office, which manages around-the-clock direction and scheduling of air refueling support for all US and allied aircraft transiting across the Atlantic Ocean. Between support to the Tanker Task Force, Operation Noble Eagle, supporting combat operations in Afghanistan and other missions in the Middle East, the Maineiacs have flown hundreds of operational sorties and thousands of hours this year, and have refueled hundreds of reconnaissance, strike and transport aircraft. Last winter the 101st again demonstrated their ability to take on complex, no-notice missions and excel – they received an alert tasking to provide air bridge planning and aerial refueling support for Operation Patriot Missile, an emergency mission, which many of you may remember, to deploy US Army Patriot Missile batteries to Turkey to protect that ally from rockets fired from inside Syria. With little time to plan and on top of the steady-state operations the wing maintains, over four days Maineiac aircrew flew fifteen missions and offloaded over 180,000 gallons of fuel to air transports, ensuring that our allies and the hundreds of thousands of Syrian refugees in Southern Turkey got the air defense batteries needed for their protection.

As part of their mission to service transient aircraft in Bangor, in 2013 the Maineiacs serviced 1,000 US and allied military aircraft on the ground and supported over 16,000 visiting aircrew, processing a total of over 14 million gallons of jet fuel. This record remains one of the most remarkable of any refueling wing in the entire US Air Force, and the reputation for professional excellence your Airmen have earned over the years continues to make the symbol of the Maine Air Guard one of the most recognized in the world. For our Air National Guardsmen who are here, I'd like you to stand up so we can recognize you.

The communications and electronics squadrons in South Portland have also remained busy this year. As part of its ongoing mission to provide support to the total Air Force for electronics installation, the 243rd deployed to five Continental US locations as part of training events, in doing so, saving tens of thousands of dollars by completing work for federal, state, and local agencies. The 243rd remains the lead support for the Air Force's Global Decision Support System and Consolidated Air Mobility Planning System worldwide. They currently operate and maintain inventory of a 4,500 square foot warehouse facility in South Portland and this year processed over \$15 million dollars' worth of Air Force equipment and assets. This summer the 243rd will deploy 30 Airmen to Afghanistan in support of the Army for the second time in three years.

The 265th Combat Communications Squadron, also in South Portland, played a key role in the statewide Vigilant Guard exercise in November supporting the National Guard's Joint Operations Center here at Camp Keyes, demonstrating again their ability to sustain communications for state agencies in the



event that civilian systems are degraded or destroyed. These Air Force communicators form the key element in our state's growing cyber defense capability, cooperating with state government, the University of Maine system, the Maine Emergency Management Agency and law enforcement to respond to developing foreign and domestic threats to our computer systems and critical infrastructure. The 265th Cyber team participated in numerous exercises in 2013 around the nation, and we expect that in cooperation with a developing capability we have in the Army National Guard, our state's cyber defense enterprise will be more capable and ready through this year. It is hard to overstate the serious concern we have in the Department related to this cyber threat, and we will continue to improve our ability to respond. We have much work to do, but we will be untiring in our efforts.

This year our Airmen have continued to be recognized for their excellence and service. Unfortunately, these Airmen can't be with us here today, but I want to read their names off so you can all remember who they are. Among other decorations, they have earned 2 Legions of Merit and 27 Meritorious Service Medals. They have also been recognized for achievement – Senior Airman Hailey Breen of the 101st was selected as the Outstanding Aerospace Medicine Airman of the Year for the entire National Guard, and Staff Sergeant Adam Potter and Senior Airman Thomas Bard from the 265th received recognition as the best in their fields, in the entire Air Force, through the Air Force's Excellence in Warfighting Integration and Information Dominance Awards Program. These men and women exemplify all that is best in our Maine Air National Guard, and they bring great credit to us all.

The Maine Army National Guard, the oldest and largest element of our Department, continues as it has since 1760 to fight our country's wars overseas and protect our citizens and communities here at home. In 2013, we brought home from deployment or mobilized and sent into combat 378 Soldiers, including the headquarters of the 133rd Engineer Battalion from Gardiner and Portland. The 133rd, as I said before, is deployed still today in Afghanistan commanding over 900 personnel from other states and units, grinding through the process of closing and realigning bases during our drawdown there. The engineers of the 133rd, Maine's oldest and most highly decorated unit, continue to live up to the state's motto of "Dirigo." We have gotten reports that in Afghanistan, I actually spoke to the Battalion Commander this week, that they have established such a reputation for excellence, and so many visiting senior officers and other dignitaries want to visit them, that they are now known by their higher headquarters from the 82nd Airborne Division as "The Greatest Show on Earth."

Our fixed-wing aviation detachment from Bangor recently returned from their third combat deployment in the past 10 years, and during that mission they were expertly led by Chief Warrant Officer 5 Ron Ireland. Chief Ireland is one of our most senior and experienced Army aviators – this latest trip overseas was his 5th operational deployment. He can't be here today with us because he is preparing for night flight training of some of newer pilots. With Chief Ireland on that mission in Afghanistan was Sergeant First Class Justin Anderson, on his 6th combat deployment. Sergeant Anderson is here with us today. These men exemplify the selfless service we have come to expect as almost routine from our Guard Soldiers, and we owe them and their families, indeed all of our Guard families, an extraordinary debt of gratitude for their willingness to answer the nation's call with the professionalism and courage that represents what is best in our National Guard and our Maine people. Waterville's 488th Military Police Company returned this summer from a year in Afghanistan, serving at the US military detention facility at

Parwan. Our MPs also distinguished themselves in what was an incredibly tough and demanding environment, as you might imagine. Bangor's Company C, 1st Battalion 126th Aviation Regiment, Maine's Air Medevac Company, also returned last year from their fourth combat deployment since 1998 – they spent a year supporting US and coalition forces forward stationed in Kuwait, where they had the rare pleasure for an Army helicopter unit of flying missions from the decks of US Navy ships operating in the North Arabian Gulf. We actually have the pictures to prove it. We also sent an Army contracting team to the Middle East last year, where they oversaw the execution of over 400 contracts for the US government, worth over \$30 million dollars.

Lest we think that all of our Army Guard missions are in the Middle East and Afghanistan, our Public Affairs Detachment deployed 4 of their people for a year in Kosovo, and one of their products produced there was just recognized as the best video news segment produced by the entire National Guard in 2013. The 136th Engineer Company from Skowhegan and Lewiston sent platoons on two, three-week rotations last year to El Salvador, where they built schools, clinics and other humanitarian infrastructure projects. The 136th, along with the 262nd Engineer Company from Westbrook and Belfast, also completed projects for the Boy Scouts of the Pine Tree Council here in southern Maine, working to upgrade and improve their aging summer camp facilities. And finally, the 185th Engineer Support Company from Caribou executed several projects in support of the towns of Caribou and St. Agatha.

Our Maine Army Guard units and Soldiers continue to be recognized for their bravery and their professional excellence. This year our Mountain Infantrymen from Brewer were awarded the Army's Valorous Unit Award for their most recent combat rotation in Afghanistan during 2010. This highly prestigious award, which is given to units who collectively demonstrate valor and superior performance under fire at the level required for an individual to be awarded the Silver Star, which is our nation's third highest decoration for valor, is rarely given at all; Brewer's Company B, 3rd Battalion 172nd Infantry Regiment is the first Maine unit ever to earn this highly prestigious distinction. Major Paul Bosse of Auburn, who commanded B Company during that time, along with his First Sergeant, Master Sergeant John Brooks of Glenburn, are with us today in the gallery. Please stand up.

On Sunday, we also honored Bangor's 286th Combat Sustainment Support Battalion – our state's Logistics Warriors. The 286th was awarded the Army Meritorious Unit Award for their outstanding mission execution while in Afghanistan during 2009 – the 286th ran all of the logistics for US and coalition forces across southern Afghanistan during the dramatic build-up there during that time. Lieutenant Colonel Diane Dunn from Newburgh was the 286th Commander for that deployment, and she was also the state's primary military staff officer involved in the planning and execution of our major Exercise Vigilant Guard this fall. I'm happy to announce publicly for the first time today that we have selected Lieutenant Colonel Dunn to be promoted to full Colonel and to take command of the state's Logistics Brigade in July – she will be the first woman ever to command an Army Guard brigade in our state's history. Congratulations to Lieutenant Colonel Dunn and her family.

Our Army units and staff are recognized around the country for their excellence – as is fitting for frugal New Englanders, we have become well known for our budget management and care with limited resources. This year our Army facilities management team was given an award for being the best installation management staff in the nation. Our fiscal and property team here in Augusta was rated as one of the best in the nation, and

our supply and equipment accountability section at the state headquarters won the Army Supply Excellence Award for being the best in the northeast region. Our recruiters continue to exceed the standard, making the Maine Army Guard top in the nation last year for re-enlistment. One of our hard-working recruiters, Staff Sergeant George Churchill from Presque Isle, was named the top recruiter in the state last year, and he is first Soldier from Aroostook County to ever achieve that distinction. Sergeant Churchill, please stand up.

In conclusion, at the outset of this address I discussed with you the various dangers, both fiscal and structural, that we face as an organization. Again – I cannot overemphasize what the stakes are for our National Guard and for our state as this defense budget debate proceeds. I ask for all of your continued support for our units and our men and women in uniform, both here in Augusta and in Washington, DC. However, as we face this latest round of threats to our state's militia, I can assure you again that our Soldiers, our Airmen and the dedicated civilians of the Department of Defense, Veterans and Emergency Management will remain ready, vigilant and constant in our duty to protect the lives and property of our citizens, ensure dignity and care for our veterans, and to defend our nation against all threats, regardless of their origin. Our state has a proud history of military and civilian service to the nation, always contributing far more than what our small population would suggest. Mainers are tough and resilient, and your current state militia is no different than what it has always been – brave, resourceful and dedicated. It remains the greatest honor of my life to be Maine's 39th Adjutant General, and to have the privilege of serving side-by-side with these extraordinary men and women. Thank you again for the opportunity to tell their story.

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The Adjutant General withdrew amid the applause of the Convention, the audience rising.

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The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

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The Senate then retired to its Chamber amid the applause of the House, the audience rising.

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(After the Joint Convention)

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The House was called to order by the Speaker.

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#### REPORTS OF COMMITTEE Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-632)** on Bill "An Act To Strengthen Enforcement Standards for Potatoes" (H.P. 1157) (L.D. 1586)

Signed:

Senators:

VITELLI of Sagadahoc  
BOYLE of Cumberland  
SHERMAN of Aroostook

Representatives:

DILL of Old Town  
BLACK of Wilton  
CRAY of Palmyra  
JONES of Freedom  
KENT of Woolwich  
MAREAN of Hollis  
NOON of Sanford  
SAUCIER of Presque Isle  
TIMBERLAKE of Turner

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

HICKMAN of Winthrop

#### READ.

Representative DILL of Old Town moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to briefly say why I am the sole person on the Minority Report. I do not object to the statute. I simply have reservations about the fee increase. It's going from \$20 to \$1,000 per incident and from \$100 to \$400 per acre which, in total, represents a 5,400 percent increase in a fine on a potato farmer who does not comply with the standard of having to plant certified seed potatoes. I do not sell certified seed potato stock because I only sell table stock, so the fine would not affect me at all. I just want to make it clear there is no conflict of interest for me on this, but I just have a hard time supporting a fine increase for any size potato farmer in the State of Maine by that amount. For that reason, I will continue to vote against the bill as it is, and I would humbly request a roll call. Thank you, Mr. Speaker.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 509

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Bolduc, Briggs, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harvell, Hayes, Herbig, Hobbins, Hubbell, Johnson P, Jorgensen, Kent, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake,

Tipping-Spitz, Treat, Tyler, Verow, Villa, Weaver, Welsh, Werts, Willette, Winchenbach, Mr. Speaker.

NAY - Boland, Chapman, Cotta, Dunphy, Harlow, Hickman, Jones, Kaenrath, Keschl, Kusiak, Libby A, Maker, Malaby, Morrison, Turner, Wilson, Wood.

ABSENT - Brooks, Crockett, Fredette, Frey, Jackson, Johnson D, Volk, Wallace, Winsor.

Yes, 125; No, 17; Absent, 9; Excused, 0.

125 having voted in the affirmative and 17 voted in the negative, with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-632)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-632)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Ensure That Legislators Share the Sacrifice with Civil Servants in the Event of a State Government Shutdown"

(H.P. 1108) (L.D. 1541)

Signed:

Senators:

LACHOWICZ of Kennebec

COLLINS of York

GERZOFISKY of Cumberland

Representatives:

GRAHAM of North Yarmouth

BOLAND of Sanford

BOLDUC of Auburn

COTTA of China

HAYES of Buckfield

MacDONALD of Old Orchard Beach

NADEAU of Winslow

NADEAU of Fort Kent

PEASE of Morrill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-633)** on same Bill.

Signed:

Representative:

CHENETTE of Saco

**READ.**

Representative GRAHAM of North Yarmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition to the pending motion. So just last Friday, Mr. Speaker, we learned that because of the federal shutdown, that we have lost, as a state, \$16 million because the Acadia National Park was shut down – \$16 million to our communities were lost to our small businesses. That's not a small amount of money. Now, granted, that was a federal shutdown, not a state shutdown, but it demonstrates pretty clearly how important it is for lawmakers and politicians to work together to move states and our country

forward. I think it sends a very symbolic message about what happens when politics goes wrong. Last year, we were able to pass a bipartisan budget against all odds and I think that we should all be commended for that. But when you step outside this capitol, there are a lot of people around this state that are nervous about the tenor of the discussion that's happening, and they are worried that maybe, one of these days, we're not going to do our job. In light of what happened last July – and, by the way, I was in D.C., scheduled to meet with our delegation the very day that the federal government shut down – I have never been more disappointed, more disheartened and more disgusted with politics in this country than I was that day. The fact that it took 16 days to open the government back up is unconscionable. The fact that folks voted against that is unconscionable, and the fact that while lawmakers were not willing to work together to move the country forward, there was no skin in the game for them. And it sent a really bad message across this country, and I think when I go outside and I talk to folks here in Maine, it sent a really bad message in this state as well. So I would like to send a different message. I'd like to send a message that we do have some skin in the game, that we're not going to be like members of Congress complaining that the towels in the gym that remained open, the gym that remained an essential service, that we're not going to be the ones that complain that the towels aren't available, but that we're willing to put our own skin in the game. Now, we don't get paid much and I've heard a lot about that and I don't disagree. But what this does, this bill, if you were to vote against the pending motion, is to say that in the future, if for some reason we got to a place where we could not agree and that for some reason that we ended up shutting the state government down, that each one of us would take, according to the fiscal report, a \$100 a day pay cut.

Let me just walk you through some of the specifics. This bill couldn't be written in such a way that was easy because that would be easy. There are folks that have said, under this bill, the Chief Executive is exempt, and that's true. When I drafted the bill, I wanted everyone at the table to be included. Unfortunately, the way the Maine State Constitution is written, that's impossible and for those of you who are going to come up to me after the fact and say "Did you think of this; did you think of that," yes, I did, and we still can't do it. So I'd just like to clarify that up front. The other piece of the puzzle that folks have asked is, by the time a state government shuts down, we will not have our paychecks anymore, and that also is accurate. So what this does is it will take the penalty out of the second session. This is only for the original budget vote. It's not for a Second Session supplemental budget. It's for the straight up budget. But what I think this does is that it sends a message to the people of Maine that we're committed to finding a solution and if for some reason we get to a place where we cannot agree, where our workers are losing pay, when our workers don't know if they're going to be able to show up to work, that we will at least put some skin in the game, and I think that is only fair. In light of the report that came out on Friday, that was very clear that our state lost \$16 million because some people in Washington, D.C., couldn't do their job, I would like to see the headline tomorrow say that, on the contrary, people in Augusta really do care and we understand what people are thinking when we go outside of this doorstep. Thank you, Mr. Speaker. Thank you, ladies and gentlemen.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Chenette.

Representative **CHENETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion and I'd like to sort of explain why I'm the sole person on the Minority Report. I concur with the

good Representative from Portland. We've seen how destructive the government shutdown can be on the federal level and our government employees and their families, and I think we owe it to our employees in our state government this bill. We owe it to them to send a strong message that we're in this together, that we're going to, again, sort of using the words from the good Representative from Portland, skin in the game. I absolutely agree, and I know we don't get paid a lot. I'm well aware of that. But let's do our jobs effectively and we won't have to get to that point. This is about government accountability. That's all this bill does. If we do our jobs, no penalty, go figure. So voting against this bill is essentially saying, "I don't want to be held accountable for my job up here." That's all this bill does. It's an incentive to do our job. So I hope everybody votes against the pending motion and in support of the Minority Report, and Mr. Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I have to be honest with you. I would really prefer to be in favor of the Minority Report in this case; however, given the fact that writing successful budgets is not only dependent on the good work of the Legislature, but it's also dependent on the good work of the Executive. As the good Representative from Portland pointed out, there is no accountability for the Executive, in terms of not passing a budget and leading to a shutdown. I guess what I'm trying to say here is that rejecting the Majority Report would probably play well at home, but, practically speaking, it puts the Legislature at a disadvantage in any negotiations with the Executive over the state budget because, on the one hand, state legislators take a financial hit, albeit small, as the good Representative from Portland pointed out, while the Executive, as she also pointed out, has no so-called personal financial skin in the game. So it grieves me to argue the Majority Ought Not to Pass Report, but, quite frankly, I think, at this time, it's the proper thing to do.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Dickerson.

Representative **DICKERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I certainly appreciate the sentiments of the good Representatives who have spoken ahead of me, but I feel compelled to point out that if I were to lose \$100 worth of pay, per day, due to events and circumstances that were completely outside of my control, which they absolutely would be because I am but one of many hundreds of people in this formula, I would not be able to feed my children. I just wanted to make that point. Thank you.

The SPEAKER: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I want to thank the good Representative from Portland for submitting this bill because I, too, believe that we should have skin in the game. I'm not going to speak a lot about it, but I believe it sends the right signal to our constituents and as far as the Chief Executive and his veto over this, this Legislature holds the key to whether or not that veto is sustained or overridden. So we do have the final say. So I urge you to support the Ought Not to Pass on this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I understand where the good Representative from Freedom is coming from and I certainly understand his sentiments; however, I have to agree with the good Representative from Belgrade and the good Representative from Portland. We, in the Legislature, do not have to concern or bow ourselves to the executive branch. We have the ability to work together to get through any sort of budget negotiation, and I think that it is very fair and right that if we have people in this state, in which their livelihoods are going to be cut off, our livelihoods should be cut off at the same time. As you could hear me sneezing early, you know, I'm allergic to this bill, and thus I am not going to support Ought Not to Pass. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As you see, this is an 11-1 Report, Ought Not to Pass. I understand the message. I clearly understand the message. But, quite honestly, I do not believe we need a bill to tell us to get our work done. We don't need a bill to say, sit down, negotiate, compromise, work hard and be successful on behalf of the people. With that, again, I'd like to note that this is again an 11-1 Report, Ought Not to Pass. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Morrill, Representative Pease.

Representative **PEASE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Once again, this is a bill that a few people are trying to tell the rest of us what to do. I absolutely reject that. If you feel so strongly, if this situation occurs and you notice there is an awful lot of "ifs," if we should live through that day again, then just give back your paycheck. It's that simple.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending the motion of Representative GRAHAM of North Yarmouth to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered)

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming"

(H.P. 780) (L.D. 1111)

Signed:

Senators:

MASON of Androscoggin

PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth

BEAULIEU of Auburn

LONGSTAFF of Waterville

SAUCIER of Presque Isle

SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-628)** on same Bill.

Signed:

Senator:  
TUTTLE of York

Representatives:  
FOWLE of Vassalboro  
GIFFORD of Lincoln  
KINNEY of Limington  
RUSSELL of Portland

Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought Not to Pass** Report.

**READ.**

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County"

(H.P. 925) (L.D. 1298)

Signed:  
Senators:  
MASON of Androscoggin  
PATRICK of Oxford

Representatives:  
LUCHINI of Ellsworth  
BEAULIEU of Auburn  
GIFFORD of Lincoln  
LONGSTAFF of Waterville  
SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-629)** on same Bill.

Signed:  
Senator:  
TUTTLE of York

Representatives:  
FOWLE of Vassalboro  
KINNEY of Limington  
RUSSELL of Portland  
SAUCIER of Presque Isle

Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-629)** Report.

**READ.**

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act

To Allow the Passamaquoddy Tribe To Operate Slot Machines in Washington County in Conjunction with High-stakes Beano" (H.P. 1091) (L.D. 1520)

Signed:  
Senators:  
MASON of Androscoggin  
PATRICK of Oxford

Representatives:  
LUCHINI of Ellsworth  
BEAULIEU of Auburn  
FOWLE of Vassalboro  
GIFFORD of Lincoln  
KINNEY of Limington  
LONGSTAFF of Waterville  
SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-630)** on same Bill.

Signed:  
Senator:  
TUTTLE of York

Representatives:  
RUSSELL of Portland  
SAUCIER of Presque Isle

Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-630)** Report.

**READ.**

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Concerning High-stakes Beano"

(H.P. 188) (L.D. 227)

Signed:  
Senators:  
MASON of Androscoggin  
PATRICK of Oxford

Representatives:  
LUCHINI of Ellsworth  
BEAULIEU of Auburn  
FOWLE of Vassalboro  
GIFFORD of Lincoln  
SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-627)** on same Bill.

Signed:  
Senator:  
TUTTLE of York

Representatives:  
KINNEY of Limington

LONGSTAFF of Waterville  
RUSSELL of Portland  
SAUCIER of Presque Isle

Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-627)** Report.

**READ.**

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

**CONSENT CALENDAR**

**First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 1194) (L.D. 1622) Bill "An Act To Amend the Laws Governing Firefighter Absence from Work for Emergency Response" (EMERGENCY) Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 769) (L.D. 1076) Bill "An Act To Allow for the Equalization of Truck Weights between Maine and Canada for Limited Use at the Border Crossings" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-642)**

(H.P. 838) (L.D. 1194) Bill "An Act To Protect Social Media Privacy in School and the Workplace" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-640)**

(H.P. 1135) (L.D. 1565) Bill "An Act To Preserve Code Enforcement Officer Training and Certification" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-641)**

(H.P. 1191) (L.D. 1619) Bill "An Act To Amend the Law Governing Conflicts of Interest with Respect to the Public Utilities Commission" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-645)**

(H.P. 1192) (L.D. 1620) Bill "An Act To Increase the Maximum Gas Safety Administrative Penalty Amounts" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-637)**

(H.P. 1211) (L.D. 1688) Bill "An Act To Streamline Enforcement of Child Support Orders Issued by the Penobscot Nation" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-639)**

(H.P. 1258) (L.D. 1753) Bill "An Act To Redistrict the Knox County Budget Committee Districts" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-636)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

**ENACTORS**

**Emergency Measure**

An Act To Amend the Election Laws

(H.P. 1187) (L.D. 1615)

(C. "A" H-620)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

**Emergency Measure**

An Act To Conform the Maine Tax Laws to the United States Internal Revenue Code

(S.P. 671) (L.D. 1705)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 138 voted in favor of the same and 5 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Provide for the 2014 and 2015 Allocations of the State Ceiling on Private Activity Bonds

(S.P. 684) (L.D. 1725)

(C. "A" S-394)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 8 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Delay Implementation of Reformulated Gasoline Requirements in Maine

(S.P. 718) (L.D. 1796)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 131 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a Major Substantive Rule of the Department of Health and Human Services

(H.P. 1153) (L.D. 1582)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 134 voted in favor of the same and

3 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

### Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police (H.P. 1156) (L.D. 1585)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

### Acts

An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities (H.P. 951) (L.D. 1327) (C. "A" H-625)

An Act To Allow an Earlier Implementation Date for an Architectural Paint Stewardship Program (S.P. 625) (L.D. 1634)

An Act To Amend the Military Bureau Laws (S.P. 648) (L.D. 1655) (C. "A" S-395)

An Act To Appropriate Funds for the Ongoing Operation of the Maine Criminal Justice Academy (H.P. 1202) (L.D. 1679) (C. "A" H-617)

An Act Concerning Confidential Records Received by the Commission on Governmental Ethics and Election Practices (H.P. 1213) (L.D. 1690)

An Act To Clarify the Use of the Term "Civil Violation" in the Motor Vehicle Statutes (H.P. 1262) (L.D. 1758)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Clarify That Veterans Who Served in Iraq and Afghanistan Qualify for the Veterans' Property Tax Exemption (H.P. 1220) (L.D. 1696) (C. "A" H-623)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

### ROLL CALL NO. 510

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette,

Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Carey, Crockett, Daughtry, Jackson, Johnson D, Volk, Wallace.

Yes, 144; No, 0; Absent, 7; Excused, 0.

144 having voted in the affirmative and 0 voted in the negative, with 7 being absent, and accordingly and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The following items were taken up out of order by unanimous consent:

### UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 27, 2014, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Require Forest Rangers To Be Trained in Order To Allow Them To Carry Firearms"

(H.P. 206) (L.D. 297)

TABLED - February 25, 2014 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-608)**.

Subsequently, **Committee Amendment "A" (H-608)** was **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-608)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-626)** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Define 'Agent' and 'Candidate's Political Committee' in the Laws Regarding Limitations on Campaign Contributions and Expenditures"

(H.P. 1185) (L.D. 1613)

TABLED - February 27, 2014 (Till Later Today) by Representative WILLETTE of Mapleton.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE.** **Committee Amendment "A" (H-626)** was **READ** by the Clerk and **ADOPTED.**

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-626)** and sent for concurrence.

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#### SENATE PAPERS

Bill "An Act To Allocate a Portion of the Reed Act Distribution of 2002 To Use for the Administration of the Unemployment Insurance and Employment Services Programs" (EMERGENCY)

(S.P. 719) (L.D. 1802)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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The following Joint Order: (S.P. 721)

ORDERED, the House concurring, that the Joint Standing Committee on Education and Cultural Affairs shall report out, to the Senate, a bill to amend the laws regarding higher education.

Came from the Senate, **READ** and **PASSED.**

**READ** and **PASSED** in concurrence.

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#### CONSENT CALENDAR

##### First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 634) (L.D. 1643) Bill "An Act To Enable the Bureau of Labor Standards To Access Federal Reimbursement by Amending State Law To Conform to Federal Law" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-404)**

(S.P. 663) (L.D. 1668) Bill "An Act To Expedite Training Waiver Decisions for Unemployment Claimants by Transferring Original Jurisdiction from the Unemployment Insurance Commission to the Bureau of Unemployment Compensation" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-407)**

(S.P. 672) (L.D. 1706) Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-406)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

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#### SENATE PAPERS

The following Joint Resolution: (S.P. 722)

##### JOINT RESOLUTION RECOGNIZING THE JUSTICE ACTION GROUP'S ACCESS TO JUSTICE DAY

WHEREAS, the Justice Action Group is a coalition established in 1995 to provide leadership and coordination in planning for the provision of civil legal aid to low-income and elderly Mainers; and

WHEREAS, equal access to justice is a bedrock principle of a free, constitutional society and no system of laws and constitutional protections can be credible or effective if only those who can afford a private lawyer may avail themselves of it; and

WHEREAS, providing equal access to justice has tangible, widespread benefits for Maine's families, children, schools, communities, businesses, charities and government, and the availability of legal aid has been shown to be effective in reducing the incidence of domestic violence by ensuring that victims receive court protection orders; and

WHEREAS, Maine's employers benefit when employees who receive legal assistance miss less work and are less distracted by unresolved legal issues; and

WHEREAS, legal issues profoundly affect basic human needs such as shelter, sustenance, safety from violence, health and child protection; and

WHEREAS, in the current economic downturn, the need for legal aid and pro bono representation in Maine remains acute; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, pause to acknowledge and express our appreciation and strong support for Maine's legal aid provider organizations and Maine's private practice attorneys who provide pro bono service for those otherwise unable to afford legal representation on the Justice Action Group's 2014 Access to Justice Day; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Justice Action Group.

Came from the Senate, **READ** and **ADOPTED.**

**READ** and **ADOPTED** in concurrence.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

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On motion of Representative BEAVERS of South Berwick, the House adjourned at 12:35 p.m., until 10:00 a.m., Wednesday, March 5, 2014 in honor and lasting tribute to Barbara E. Fernald, of Eliot.